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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Nasser H. Kutkut, et al.

Title: ACTIVITY-BASED BATTERY  
MONITOR WITH A UNIVERSAL  
CURRENT MEASURING  
APPARATUS

Appl. No.: 10/735,244

Filing Date: 12/12/2003

Examiner: Edward H. Tso

Art Unit: 2838

Conf. No.: 9806

<b>CERTIFICATE OF MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.	
<hr/> <i>Callie M. Bell</i> (Printed Name)	
<hr/> <i>Callie M. Bell</i> (Signature)	
<hr/> October 24, 2006 (Date of Deposit)	

**REQUEST FOR CONFIRMATION OF CONSIDERATION OF  
INFORMATION DISCLOSURE STATEMENT**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A Notice of Allowance and Notice of Allowability were issued on this application on September 21, 2006. The Notice of Allowability did not indicate that the documents cited in the Information Disclosure Statement filed on April 16, 2004, had been considered and made of record.

For reference, enclosed are a copy of the Information Disclosure Statement (IDS) mailed April 16, 2004, a copy of Form PTO 1449 mailed with the IDS, and a copy of the postcard confirming receipt of the IDS on April 19, 2004, at the U.S. Patent and Trademark Office. As noted in the Statement, all of the documents that were cited therein were cited before the mailing date of the first office action on the merits in accordance with 37 C.F.R. § 1.97(b).

Confirmation of the consideration of the cited documents is thus requested. It is requested that, if there are any questions concerning this communication, Applicant's undersigned attorney be contacted at the address and telephone number below.

Respectfully submitted,

By Callie M. Bell

Dated: October 24, 2006

FOLEY & LARDNER LLP  
Customer Number: 23524  
Telephone: (608) 258-4263  
Facsimile: (608) 258-4258

Callie M. Bell  
Attorney for Applicants  
Registration No. 54,989

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RECEIPT OF THE ITEMS CHECKED BELOW:

MAILED VIA FIRST CLASS MAIL

Serial No.: 10/735,244

Applicant(s): Nasser H. Kutkut, et al.

Filed: December 12, 2003

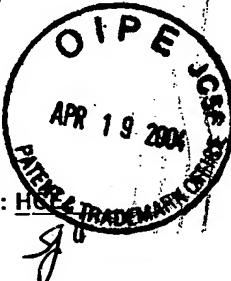
Title: ACTIVITY-BASED BATTERY MONITOR  
WITH A UNIVERSAL CURRENT  
MEASURING APPARATUS

Date Mailed: April 16, 2004

- Transmittal of Missing Parts of Patent Application (3 pages)
- Declaration and Power of Attorney (5 pages)
- Copy of 3/23/04 Notice
- Information Disclosure Statement (3 pages)
- Form PTO-1449 (2 pages)
- Check No. 833135; \$450.00

DOCKET NO.: 054603:0113

Atty.: H





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Atty. Dkt. No. 054603-0113

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

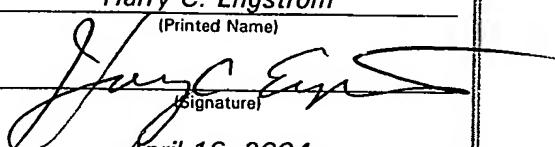
Applicant: Nasser H. Kutkut, et al.

Title: ACTIVITY-BASED BATTERY  
MONITOR WITH A UNIVERSAL  
CURRENT MEASURING  
APPARATUS

Appl. No.: 10/735,244

Filing Date: December 12, /2003

Art Unit: 2855

<b>CERTIFICATE OF MAILING</b>	
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<hr/> <u>Harry C. Engstrom</u> (Printed Name)	
 <hr/>	
April 16, 2004 (Date of Deposit)	

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop MISSING PARTS  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without*

*Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

The documents are in English and relate to battery monitors and related apparatus.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even

entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350.

Respectfully submitted,

Dated: April 16, 2004

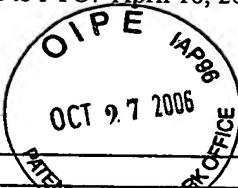
FOLEY & LARDNER LLP  
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By   
Harry C. Engstrom  
Attorney for Applicants  
Registration No. 26,876

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Sheet 1 of 2

FORM PTO 1449 (modified)  
 U.S. DEPARTMENT OF COMMERCE  
 PATENT AND TRADEMARK OFFICE  
 LIST OF REFERENCES CITED BY APPLICANT(S)  
 (Use several sheets if necessary)  
 Date Submitted to PTO: April 16, 2004

ATTY DOCKET NO.  
054603:0113SERIAL NO.  
10/735,244APPLICANT  
Nasser H. Kutkut, et al.FILING DATE  
December 12, 2003GROUP  
2855**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,979,657	9/7/76	Yorski			
	4,316,185	2/16/82	Watrous, et al.			
	4,387,334	6/7/83	Loper			
	4,929,931	5/29/90	McCuen			
	4,990,885	2/5/91	Irick, et al.			
	5,095,274	3/10/92	Brokaw			
	5,130,659	7/14/92	Sloan			
	5,179,340	1/12/93	Rogers			
	5,394,089	2/28/95	Clegg			

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT

**OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)**


EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 2 of 2

FORM PTO 1449 (modified)  
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2855

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,646,534	7/8/97	Kopera			
		5,808,469	9/15/98	Kopera			
		5,886,503	3/23/99	McAndrews, et al.			
		5,895,440	4/20/99	Proctor, et al.			
		6,037,749	3/14/00	Parsonage			
		6,118,384	9/12/00	Sheldon, et al.			
		6,150,795	11/21/00	Kutkut, et al.			
		6,222,370	4/24/01	Schousek, et al.			
		6,268,710	7/31/01	Koga			
		6,304,062	10/16/01	Batson			
		6,549,014	4/15/03	Kutkut, et al.			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)


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